

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER
AUTHORITY (PREPA),

Debtor.

PROMESA

Title III

No. 17 BK 4780-LTS

ORDER REQUIRING SUPPLEMENTAL BRIEFING IN CONNECTION WITH OBJECTION OF
OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO PROOF OF CLAIM NUMBER 18449
FILED BY U.S. BANK N.A., IN ITS CAPACITY AS TRUSTEE FOR NON-RECOURSE PREPA BONDS

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Court has received and reviewed the *Joint Status Report in Connection with Objection of Official Committee of Unsecured Creditors to Proof of Claim Number 18449 Filed by U.S. Bank National Association, in Its Capacity as Trustee for Non-Recourse PREPA Bonds* (Docket Entry No. 9140 in Case No. 17-3283 and Docket Entry No. 1731 in Case No. 17-4780, the “Status Report”) setting forth the positions of the Committee,² the Responding Bondholder Parties, the Government Parties, the Fuel Line Lenders, UTIER, and SREAEE³ concerning certain issues with respect to the *Objection of Official Committee of Unsecured Creditors to Proof of Claim Number 18449 Filed by U.S. Bank National Association, in Its Capacity as Trustee for Non-Recourse PREPA Bonds* (Docket Entry No. 9060 in Case No. 17-3283 and Docket Entry No. 1691 in Case No. 17-4780, the “Objection”).

The Court hereby orders the Parties to submit supplemental briefing, on the terms set forth below, concerning two issues raised in the Status Report: First, whether the Committee has standing to object to U.S. Bank’s proof of claim without leave of Court. Second, whether the Court must hear and adjudicate the Objection notwithstanding the pending *Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(a)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement and Tolling Certain Limitations Periods* (Docket Entry No. 1235 in Case No. 17-4780).

The Committee and the Government Parties must each file a supplemental brief of no more than ten (10) pages concerning the above issues by **November 21, 2019 at 5:00 p.m. (Atlantic Standard Time)**. If the Responding Bondholder Parties, the Fuel Line Lenders, or the Union Entities wish to submit briefing concerning the above issues, they must file non-duplicative briefs of no more than four (4) pages by **November 25, 2019 at 5:00 p.m. (Atlantic Standard Time)** (if any such group instead collaborates with the Committee or the Government Parties to file a joint brief, its four-page allocation may be used to augment the page limit for the Committee or Government Parties brief, as the case may be).

The Committee and the Government Parties must each file a supplemental responsive brief of no more than ten (10) pages concerning the above issues by **December 4, 2019 at 5:00 p.m. (Atlantic Standard Time)**. If the Responding Bondholder Parties, the Fuel Line Lenders, or the Union Entities wish to submit responsive briefs, they must file non-duplicative responsive briefs of no more than four (4) pages by **December 6, 2019 at 5:00 p.m.**

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Status Report.

³ UTIER and SREAEE will be referred to herein collectively as the “Union Entities.”

(Atlantic Standard Time) (the foregoing alternative provisions for collaboration and augmentation also apply to the responsive briefing).

SO ORDERED.

Dated: November 13, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge